

the streets of the town, not to exceed ten days. And whenever in any such ordinance or by-law a fine or penalty is imposed for the doing of any act forbidden to be done by such ordinance or for omitting to do any act required to be done by such ordinance, the doing of such act in the first case or the omission to do such act in the second case, shall be deemed to be a criminal offense; and all such offenses shall be prosecuted by the arrest of the offender and by holding him to bail to appear in or committing him for trial in the Circuit Court for Worcester county, unless upon being brought before a justice of the peace, and having been informed of his right to a jury trial, as elsewhere provided in this charter, he shall waive said right and elect to be tried before a justice of the peace, and if any person shall be adjudged guilty of any such offense under any ordinance or by-laws passed in pursuance of the powers hereby given or any of them, by the Circuit Court aforesaid or by a justice of the peace, any person so found guilty shall be sentenced to pay the fine or penalty prescribed by the said ordinance or by-law, and also the costs of prosecution, and in default of the payment thereof the person so found guilty shall be committed to jail for the length of time required by said ordinances or by-laws, not to exceed the thirty days' limit above provided; and in case the said ordinance or by-law sets no length of time for the offender to stand committed in default of the payment of said fine or penalty, then said offender shall be committed to jail until thence discharged by due course of law. Nothing herein contained shall prevent the Mayor and Council from providing in any or all of the ordinances or by-laws passed by them that violations of said ordinance or ordinances, by-law or by-laws, shall not be criminal offenses, or that the fine or penalty imposed for violating thereof shall be enforced by civil action only; provided, such intention is clearly expressed. Any violation of any provision under and belonging to the subtitle of Berlin, as a sub-title to article 24 of the Code of Public Local Laws of Maryland, title "Worcester County," including all violations of any of the provisions of this Act or charter, and also all violations of any ordinance passed or to be passed by the Mayor and Council of Berlin, except such ordinances as shall by their terms be enforceable by civil action only, shall be misdemeanors, and all such misdemeanors shall be indictable or they may be tried before any justice of the peace for Worcester county; provided, that any defendant or defendants in such cases shall before the trial, be notified of his right to a jury trial, and in any such case the State of Maryland shall be the plaintiff, and the State's Attorney for said county and the defendant or defendants therein shall respectively possess the